

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DREW HERIOT and
DREW PICTURES PTY LTD.,

Plaintiffs,

vs.

RHONDA BYRNE, THE SECRET LLC
(AKA TS HOLDINGS LLC), PRIME TIME
US INC., TS PRODUCTION HOLDINGS
LLC, TS PRODUCTION LLC,
TS MERCHANDISING LTD., and
ROBERT E. RAINONE, JR.,

Defendants.

Civil Case No. 08CV2272

The Honorable Suzanne B. Conlon

NOTICE OF MOTION

To: Paul L. Price
Hepler, Broom, MacDonald, Hebrank, True &
Noce, LLC
150 N. Wacker Drive, Suite 3100
Chicago, Illinois 60606

Mark S. Werbner
Richard A. Sayles
Darren P. Nicholson
Sayles | Werbner, P.C.
4400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270

PLEASE TAKE NOTICE that on the 17th day of June, 2008 at 9:00 a.m., or as soon thereafter as counsel shall be heard, we shall appear before the Honorable Suzanne B. Conlon in Courtroom 1743 of the United States District Court for the Northern District of Illinois, Eastern Division, located in the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois, and then and there present **DEFENDANTS' MOTION TO DISMISS OR FORUM NON CONVENIENS OR, IN THE ALTERNATIVE, TO DISMISS OR STAY PROCEEDINGS**. A copy of Defendants' Motion, along with their Memorandum of Points and Authorities in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings, and the Declarations of Robert E. Rainone, Jr., Paul Harrington, Rhonda Byrne, Donald J. Zyck and Joseph A. Meckes (and their accompanying exhibits) are hereby served upon you.

Dated: June 4, 2008

Defendants RHONDA BYRNE, TS RER LLC
(erroneously named as "THE SECRET LLC"
and "TS HOLDINGS LLC"), PRIME TIME US
INC., TS PRODUCTION HOLDINGS LLC, TS
PRODUCTION LLC, TS MERCHANDISING
LTD., and ROBERT E. RAINONE, JR

By: /s/ David S. Elkins
One of Their Attorneys

David S. Elkins
Joseph A. Meckes
Joseph P. Grasser
SQUIRE, SANDERS & DEMPSEY L.L.P.
600 Hansen Way
Palo Alto, CA 94304-1043
Telephone: (650) 856-6500
Facsimile: (650) 843-8777

Jack J. Carriglio
James G. Argionis
MECKLER BULGER & TILSON LLP
123 North Wacker Drive, Suite 1800
Chicago, IL 60606
Telephone: (312) 474-7900
Facsimile: (312) 474-7898

CERTIFICATE OF SERVICE

Under penalties as provided by law, the undersigned, an attorney, hereby certifies and states that he caused a true and accurate copies of the following accompanying documents:

- *Defendants' Notice of Motion;*
- *Defendants' Motion to Dismiss or, in the Alternative, to Stay Proceedings;*
- *Defendants' Memorandum of Points and Authorities in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings;*
- *Declaration of Rhonda Byrne in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings;*
- *Declaration of Paul Harrington in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings;*
- *Declaration of Joseph A. Meckes in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings;*
- *Declaration of Robert E. Rainone, Jr. in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings; and*
- *Declaration of Donald J. Zyck in Support of Motion to Dismiss or, in the Alternative, to Stay Proceedings*

to be served upon the counsel listed below via the United States District Court for the Northern District of Illinois, Eastern Division's CM/ECF electronic filing system and by electronic mail on this 4th day of June, 2008.

Paul L. Price
(plp@heplerbroom.com)
Hepler, Broom, MacDonald, Hebrank, True &
Noce, LLC
150 N. Wacker Drive, Suite 3100
Chicago, Illinois 60606

Mark S. Werbner
(mwerbner@swtriallaw.com)
Darren P. Nicholson
(dnicholson@swtriallaw.com)
Sayles | Werbner, P.C.
4400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270

By /s/ David S. Elkins